

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled **"SYSTEM AND METHOD OF APPLYING ADAPTIVE CONTROL TO THE CONTROL OF PARTICLE ACCELERATORS WITH VARYING DYNAMICS BEHAVIORAL CHARACTERISTICS USING A NONLINEAR MODEL PREDICTIVE CONTROL TECHNOLOGY,"** the specification of which:

- ☐ is attached hereto.
☒ was filed on December 9, 2003 as Application Serial No. 10/731,596
and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate listed below, or under § 365(a) of any PCT international application listed below designating at least one country other than the United States of America, and have identified below any foreign application for patent or inventor's certificate, or of any PCT international application, having a filing date before that of the application on which priority is claimed.

<u>Prior Foreign Application No.</u>	<u>Country</u>	<u>Filing Date</u> <u>(mm/dd/yy)</u>	<u>Priority</u> <u>Claimed</u>	<u>Cert. copy</u> <u>Attached</u>
N/A				

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

<u>Provisional Application No.</u>	<u>Filing Date</u> <u>(mm/dd/yy)</u>
60/431,821	12/09/02

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below, or under § 365(c) of any PCT international application listed below designating the United States of America, and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose all information known to me to be material to the patentability of the subject matter claimed in this application, as "materiality" is defined in 37 C.F.R. § 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application.

<u>Parent Application No.</u>	<u>Filing Date</u> <u>(mm/dd/yy)</u>	<u>Parent Patent No. (if applicable) or Status</u>
N/A		


I hereby revoke any previous Powers of Attorney and appoint the practitioners at Customer Number 35690, and Jeffrey C. Hood, Reg. No. 35,198; B. Noël Kivlin, Reg. No. 33,929; Robert C. Kowert Reg. No. 39,255; Eric B. Meyertons, Reg. No. 34,876; Mark S. Williams, Reg. No. 50,658; Mark K. Brightwell, Reg. No. 47,446; Russell E. Henrichs, Reg. No. 50,354; and Mario J. Lewin, Reg. No. 54,268; with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive the Letters Patent.

Please direct all communications to:

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made herein on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

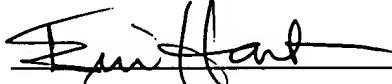
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